GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE

NAME Anthony J Fantozzi | DATE 11/3/80

TITLE Archivist, Archives Branch

NAME AND LOCATION OF DEPOSITORY General Archives and Record...
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002
2NCN

GSA FORM APR 68 679

111-231

CRMC-Motley1000-Subj-003313

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/1

Notice of Trial—All Law Cases—3

Karkus Brothers, Inc.
Law Blank Publishers, Perth Amboy, N. J.

UNITED STATES DISTRICT Court.

FOR THE DISTRICT OF NEW JERSEY.

JOHN ZACKWIEJZ, by next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant.

Action at law

Notice of Trial.

SIR :—PLEASE TO TAKE NOTICE, that the trial of the issue joined in this cause will be moved before said Court, in the presence of such Judge or Justice thereof, as shall then be holding said Court, on the First *Tuesday of* April *A. D. 1931, at the* ~~Court House~~ Lefcourte Bldg, *in* Newark *in and for the* District *of* New Jersey *at ten o'clock in the forenoon, or as soon thereafter as the said Court can attend to the same.*

Dated Janyary 14th *A. D., 19* 31.

Samuel Greenstone
Attorney of Plaintiff.

To Hobart & Minard *Esq.,*
Attorney of Defendant.

CRMC-Motley1000-Subj-003314

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/2

John Zackwiejz v. Johns-Manville, Pleadings and Motion to Quash (1929)
ACL Doc 23905 · Page 3 of 62

1958
1958 ✓

U. S. DISTRICT Court
FOR THE DISTRICT OF N. J.

JOHN ZACKWIEJZ, by next friend, his mother, MARY ZACKWIEJZ,
Plaintiff,
-vs-
JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,
Defendant.

Action at law

Notice of Trial

Samuel Greenstone
Attorney for Plaintiff

Service of the within Notice of Trial is hereby acknowledged this 28th *day of* January *A. D. 19*31

FILED
Feb 7 1931
11 O'CLOCK A.M.
GEORGE T. CRANMER, Clerk.

Gabriel Hamel
Attorney for Defendant

Summons Issued July 18-1929

CRMC-Motley1000-Subj-003315
Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/3

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE

Anthony Scadozzi

NAME: Anthony Scadozzi | DATE: 11/3/80

TITLE: Archivist, Archives Branch

NAME AND ADDRESS OF DEPOSITORY

Federal Archives and Records Center
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002
2NCN

GSA FORM APR 68 6791

CRMC-Motley1000-Subj-003316

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/4

UNITED STATES DISTRICT Court
FOR THE DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff

vs.

JOHNS-MANVILLE CORPORATION, a Corporation of the State of New York

Defendant

Action at Law.
ORDER FOR DISCONTINUANCE.

The above entitled cause having been settled between the parties thereto;

It is ORDERED, that the same be, and it is hereby discontinued, without costs to either party as against the other.

George T. Learmouth
Clerk
Charles A. Clement
Deputy

Entered June 13, 1934

On motion of
Hart & Howard
Attorneys of defendant

Consent is hereby given to the making and entering of the above order.

Samuel Weinstein
Attorney of Plaintiff

Case # L 1958

CRMC-Motley1000-Subj-003317

Action at Law.

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff

vs

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant

Order for Discontinuance

HOBART & MINARD
ATTORNEYS FOR DEFENDANT
1180 RAYMOND BOULEVARD
NEWARK, N. J.

FILED
JUN 13 1934
AT 9 O'CLOCK A. M.
GEORGE T. CRANMER, CLERK.

CRMC-Motley1000-Subj-003318

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/6

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE

Anthony Frandozzi

NAME: Anthony Frandozzi | DATE: 11/3/80

TITLE: Archivist, Archives Branch

NAME AND ADDRESS OF DEPOSITORY

General Archives and Records Center
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002
2NCN

GSA FORM APR 66 6791

CRMC-Motley1000-Subj-003319

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/7

L 1958
DAT 1958

UNITEDSTATES DISTRICT Court

FOR THE DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother MARY ZACKWIEJZ,

Plaintiff,

-vs-

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant.

Action at Law

MAY 12 1930

CLERK

Notice of Trial

Samuel Greenstone.
Attorney for Plaintiff.

Service of the within Notice of Trial is hereby acknowledged this 28-th *day of* April *A. D. 1930*

Robert S Minaid
Attorney for Defendant.

Summons Issued 2/18/29

CRMC-Motley1000-Subj-003320

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/8

NOTICE OF TRIAL — ALL LAW COURTS —3

Karkus Brothers, Inc., Law Blank Publishers
Perth Amboy, N. J.

UNITED STATES DISTRICT Court.
FOR THE DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant.

Action at law

Notice of Trial.

SIR :—PLEASE TO TAKE NOTICE, that the trial of the issue joined in this cause will be moved before said Court, in the presence of such Judge or Justice thereof, as shall then be holding said Court, on the first *Tuesday of* November *A. D. 19* 30 *, at the* 24 Commerce St., Newark *in and for the* District *of* New Jersey *at ten o'clock in the forenoon, or as soon thereafter as the said Court can attend to the same.*

Dated April 23d *A. D. 19* 30.

Samuel Greenstone,
Attorney of Plaintiff.

To Hobart & Minard *Esqs.,*
Attorneys of Defendant

CRMC-Motley1000-Subj-003321

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE

Anthony J Faccozzi

NAME: Anthony J Faccozzi

DATE: 11/3/80

TITLE: Archivist, Archives Branch

NAME AND ADDRESS OF DEPOSITORY
General Archives and [illegible] Center
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002
2NCN

GSA FORM APR 68 6791

CRMC-Motley1000-Subj-003322

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/10

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

John Zackwiejz, et al :

vs. : No. L-1958

Johns-Manville Corp :

NOTICE OF FIXING PLACE FOR TRIAL.

Pursuant to Rule 12 I have fixed the place for the trial of the above case at Newark, N. J.

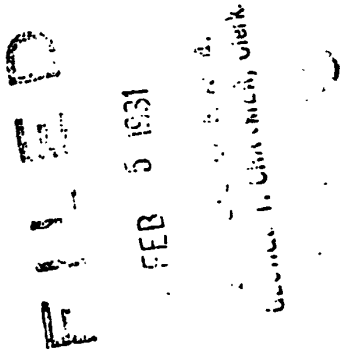
The next term of this court to be held at Newark, N. J. will commence the First Tuesday in April next and this case having been noticed for trial pursuant to said rule will be placed on the calendar. No notice of trial for subsequent terms will be necessary.

George T. Cranmer,
Clerk

By Charles S. Chevrier,
Deputy.

CRMC-Motley1000-Subj-003323

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/11



CRMC-Motley1000-Subj-003324

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE

NAME: Anthony J Fardozzi | DATE: 11/3/80

TITLE: Archivist, Archives Branch

NAME AND ADDRESS OF DEPOSITORY:
Federal Archives and Records Center
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002
2NCN

GSA FORM APR 68 679

CRMC-Motley1000-Subj-003325

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/13

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY.

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

-vs-

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant.

ON MOTION TO QUASH SUMMONS AND DISMISS COMPLAINT

ORDER.

This matter coming on to be heard before me, in the presence of the attorneys of the parties (Samuel Greenstone appearing for the plaintiff and Hobart & Minard appearing for the defendant), on the return of the rule to show cause allowed herein on March 7th, 1930, why the summons should not be quashed and the complaint dismissed on the grounds stated in said rule, and the court having taken the testimony of the parties in open court, and it appearing that the attorney for the plaintiff was properly retained and authorized to commence the above action; and the attorneys for the defendant having consented in open court to the dismissal of the said rule;

It is, on this 15th day of April, 1930,

ORDERED, that the said rule to show cause be and the same is hereby dismissed without costs.

Samuel Greenstone
Attorney for Plaintiff.

Judge of the United States District Court.

CRMC-Motley1000-Subj-003326

LAW 1958 m

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY.

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

-vs-

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant.

ON MOTION TO QUASH SUMMONS AND DISMISS COMPLAINT.

ORDER.

SAMUEL GREENSTONE,
Attorney for Plaintiff,
972 Broad St.,
Newark, N. J.

FILED

APR 17 ...

AT 9 O'CLOCK A. M.
GEORGE T. CRANMER, Clerk.

CRMC-Motley1000-Subj-003327

John Zackwiejz v. Johns-Manville, Pleadings and Motion to Quash (1929)
ACL Doc 23905 · Page 15 of 62
Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/15

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE

NAME: Anthony J Fradezzi | DATE: 11/3/80

TITLE: Archivist, Archives Branch

NAME AND ADDRESS OF DEPOSITORY:
General Archives and Records Center
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002
2NCN

GSA FORM APR 68 6791

CRMC-Motley1000-Subj-003328

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother, Mary Zackwicjz, Plaintiff, vs. JOHNS-MANVILLE CORPORATION, a corporation of the State of New York, Defendant.

On motion to quash summons and dismiss complaint

AFFIDAVIT OF SERVICE

STATE OF NEW JERSEY :
: ss.
COUNTY OFSOMERSET :

ARCHIBALD HUGHES, being duly sworn, according to law, on his oath, says:

I am employed by the defendant at its factory in Manville, N. J. On Tuesday, March 11, 1930, I served upon Mary Zackwiejz (next friend of plaintiff) a copy of the rule to show cause herein dated March 7, 1930, and copies of the affidavits filed herein by the defendant, said copies of said rule and affidavits being duly certified as true copies by Hobart & Minard, attorneys of defendant.

Said service was made by leaving said copies personally with said Mary Zackwiejz at her place of employment at the Restaurant of the Elk's Club in Somerville, N. J.

Subscribed and sworn to at Manville, N.J. this 17th day of March, 1930, before me

Archibald Hughes

A Notary Public of New Jersey

CRMC-Motley1000-Subj-003329

CRMC-Motley1000-Subj-003330

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/18

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE: Anthony Fantozzi

NAME: Anthony J Fantozzi | DATE: 11/3/80

TITLE: Archivist, Archives Branch

NAME AND ADDRESS OF DEPOSITORY:
Federal Archives and Records Center
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002
2NCN

GSA FORM APR 68 6791

CRMC-Motley1000-Subj-003331

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,
Plaintiff,
vs.
JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,
Defendant.

On motion to quash summons and to dismiss complaint

AFFIDAVIT OF SERVICE

STATE OF NEW JERSEY:
:ss.
COUNTY OF ESSEX :

JOHN MURRAY, being duly sworn, according to law, on his oath, says:

I am employed as a clerk in the office of Hobart & Minard, attorneys of defendant. On Tuesday, March 11, 1930, at 2.30 p.m., I served upon Samuel Greenstone, attorney of record of the plaintiff, a copy of the rule to show cause herein, dated March 7, 1930, duly certified as a true copy by Hobart & Minard, attorneys of defendant, and on the same day I served upon said Samuel Greenstone a copy of the affidavits filed herein by the defendant, duly certified as true copies by Hobart & Minard, attorneys of defendant.

Said service was made by leaving said copies of said rule to show cause and said affidavits at the office of said Samuel Greenstone No. 972 Broad St., in the City of Newark, N. J., with the person in charge of said office at said time.

Subscribed and sworn to at Newark, N.J. this 12th day of March, 1930, before me

Geo. A. Hobart
A Notary Public 1949

John Murray

CRMC-Motley1000-Subj-003332

CRMC-Motley1000-Subj-003333

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/21

John Zackwiejz v. Johns-Manville, Pleadings and Motion to Quash (1929)
ACL Doc 23905 · Page 22 of 62

1958

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant.

On motion to Quash Summons and Dismiss Complaint.
RULE TO SHOW CAUSE

Hobart & Minard, Esqs.,
Attorneys of Defendant,
24 Branford Place,
Newark, N. J.

FILED

MAR 11 1930

CLERK CHANCERY CT.

CRMC-Motley1000-Subj-003334
Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/22

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend his mother, MARY ZACKWIEJZ,
Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,
Defendant.

On motion to Quash Summons and Dismiss Complaint.

RULE TO SHOW CAUSE

1955

On reading and filing the affidavits presented in behalf of the defendant,

O R D E R E D that the plaintiff and the plaintiff's attorney show cause before this Court on the thirty first day of ~~February~~ March, 1930, at 10.30 o'clock A.M., at the court room in the Chamber of Commerce Building, 24 Branford Place, Newark, New Jersey, why the summons herein should not be quashed and the complaint dismissed on the ground that the summons was issued and the complaint filed without the authority of the plaintiff.

FURTHER ORDERED that a copy of this rule and of said affidavits (certified as true copies by the attorneys of the defendant) be served within four days from the date hereof, upon the plaintiff either personally or by leaving same at plaintiff's residence and upon the attorney of the plaintiff either personally or by leaving same at his office in the City of Newark.

FURTHERED ORDERED that on the return day of this rule the parties have leave to take testimony in open court in support thereof and in opposition thereto.

DATED: ~~February~~ March 7th 1930.

Rule entered this 11th day of ~~February~~ March, 1930, on motion of MOBART & MINARD, Attorneys of Defendant.

Guy L. Fake
U.S.D.J.

CRMC-Motley1000-Subj-003335

John Zackwiejz v. Johns-Manville, Pleadings and Motion to Quash (1929)
ACL Doc 23905 · Page 24 of 62

1958

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant.

On motion to Quash Summons and Dismiss Complaint.
RULE TO SHOW CAUSE

Hobart & Minard, Esqs.,
Attorneys of Defendant,
24 Branford Place,
Newark, N. J.

FILED

MAR 11 1930

CRMC-Motley1000-Subj-003336

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/24

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE

Anthony Fandozzi

NAME: Anthony J Fandozzi | DATE: 11/3/80

TITLE: Archivist, Archives Branch

NAME AND ADDRESS OF DEPOSITORY:
Federal Archives and Records Center
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002
2NCN

GSA FORM ARR 68 6791

CRMC-Motley1000-Subj-003337

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

-vs-

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant.

AFFIDAVIT OF EMIL RAJER

STATE OF NEW JERSEY :
: ss.
COUNTY OF ESSEX :

EMIL RAJER, being duly sworn, according to law, on his oath, deposes and says:

I reside at 2805 Fourth Avenue, Astoria, L. I.

On November 21, 1929, I arranged an interview with Mrs. Mary Zackwieja which interview I conducted at the office of Mr. Archibald Hughes, General Manager of the Manville plant of the Johns-Manville Corporation, at Manville, N. J.

There were present, in addition to Mrs. Zackwieja and myself, Mr. Archibald Hughes, Miss Wolf and Miss Helen Zackwieja.

I found that Mrs. Zackwieja spoke the Polish language fluently but that she did not speak the English language very well. Some of the interview was conducted in English, but the greater part was conducted in the Polish language. I explained to her that I desired information as to the suit which was instituted by her as next friend of John Zackwieja against the Johns-Manville Corporation by

CRMC-Motley1000-Subj-003338

summons dated July 1[illegible], 1929, and the circumstances which led up to the start of that suit. She told me that she was perfectly willing to give me all the information she had about it and I then told her that I intended preparing a written statement which I would ask her to sign and she said that she was willing that such a statement be prepared and signed.

I then elicited information from her by questions and answers and translated the facts to English, dictating them to Miss Wolf. When the interview was concluded I requested Miss Wolf to retire to another room and prepare the statement in typewritten form and after a short time she delivered to me four sheets of typewritten matter, three of which were the statement of Mrs. Zackwieja, the fourth sheet containing two certificates, one to be signed by myself and one to be signed by Miss Helen Zackwieja. When the sheets were delivered to me by Miss Wolf I handed them to Miss Zackwieja and requested that she read them to her mother, translating the statement into Polish. She did so and I followed her reading on copy of the statement. When she had concluded the reading I then read the statement to Mrs. Zackwieja and asked her whether or not it accurately recorded the interview and upon being informed by her that it did, I requested her to sign her name at the bottom of the three sheets of the statement. She did so willingly.

I then requested Miss Zackwieja to sign her name in the margin of the first two sheets and on the lower right hand corner of the third sheet and also immediately below the certificate which stated that she had read the statement to her mother in Polish. Miss Zackwieja signed her name as requested. I then signed my name in the margin of the third sheet and filled in the date "11-21-29" and signed

CRMC-Motley1000-Subj-003339

my name below the certificate on the fourth sheet which stated that I had read the statement to Mrs. Zackwieja in the Polish language.

I have today examined the four sheets of typewritten matter purporting to be the report of the interview attached hereto, and I find that they are in the same condition as when finally executed by Mrs. Zackwieja, Miss Zackwieja and myself, on November 21, 1929.

Subscribed and sworn to : Ernie Ramer.
before me this 11th day :
of February, 1930. :

Geo G Holst
a Notary Public of N.J.

CRMC-Motley1000-Subj-003340

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother,

Plaintiff,

-vs-

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant.

AFFIDAVIT OF CHARLOTTE WOLF

STATE OF NEW JERSEY :
: ss.
COUNTY OF ESSEX :

CHARLOTTE WOLF, being duly sworn, according to law, on her oath, deposes and says:

I reside at 105 East Main Street, Bound Brook, N. J. and I am employed at the Manville, New Jersey, plant of the Johns-Manville Corporation, as a stenographer in the office of Mr. Archibald Hughes, General Manager of the plant.

I was present at an interview between Mr. Emil Ramer and Mrs. Mary Zackwieja which was conducted November 21, 1929, at the office of Mr. Archibald Hughes. In addition to Mrs. Zackwieja, Mr. Ramer and myself, there were present Mr. Hughes and Miss Helen Zackwieja, the daughter of Mary Zackwieja.

I was directed to prepare a typewritten statement to be signed by Mrs. Zackwieja on the dictation of Mr. Ramer. Mrs. Zackwieja spoke some English but a great part of the interview was conducted in the Polish language. Mr. Ramer asked Mrs. Zackwieja various questions in Polish and she then spoke to him in the same language, and after



CRMC-Motley1000-Subj-003341

ion had been conducted between them, Mr. Ramer
sentences in English. After about two hours
ce Mr. Ramer directed me to prepare in type-
he statement which had been dictated and I
o another room and when I had finished my
d to Mr. Ramer four sheets of typewritten

tement was delivered to Helen Zackwieja and
read it, Mr. Ramer read the statement to
/ieja, translating it into the Polish language
between Mr. Ramer and Mrs. Zackwieja was
in Polish and Mrs. Zackwieja then signed
bottom of each of the first three sheets
t and Helen Zackwieja signed her name in
he first two sheets and at the bottom of
and also immediately beneath the certificat
heet which was prepared for her and which
had read the statement to her mother in
age. Mr. Ramer then signed his name in
e third sheet and immediately beneath the
he fourth sheet which states that he had
nt to Mrs. Zackwieja in the Polish languag
ay examined the four sheets of typewritten
hereto purporting to be the statement of
nd I find that they are in the same condi-
cuted by Mrs. Zackwieja, Miss Helen Zackwie
November 21, 1929.

/orn to : Claretta Wolf
lth day :

Manville, New Jersey. I
24 years old is in Poland.
e 26th of November, 1929.
ber. Next is Rose. She w
she was 10 years on Octobe
15th of May, 1930. I keep
of Manville since 1925. I
f Philadelphia for 19 years.
, but I understand English
school in Austria, now Polar
y house with two men; one of
nd man I don't know and I ha
to me for the lawyer. The
ohn and wants to know where h
him that my son, John worked
nts to see my son, John, beca
elp my son John and the lawye
an help him to get well". I
an connectod with the electri
the Western Electric Company
. I believed that this man
ith the factory where my boy wa
ospital in Chicago and I have n
him that he is not working in
and this lawyer introduced to m
im what is it for, why I should
n my boy leaves the hospital he
he would see that he gets the

CRMC-Motley1000-Subj-003342

that this paper is necessary to get medical treatments or charity. I nev saw this lawyer in my life before. I don't know where he comes from and don't remember how he looks like. I got too much trouble to think of him never invited this lawyer to come to my hou se or any other place to talk sickness of my son, John or my daughter, Helen. I never told this lawyer sue the Johns-Manville Company for any money on account of sickness to my John or daughter Helen and I don't want any law-suits and am anxious to d this case against the Johns-Manville Company because I never intended to this company. I never spoke to Chester about getting me a lawyer and I n spoke to our Priest about getting me a lawyer or starting law-suits for J or Helen, against the Johns-Manville Company. This was the only time I sa lawyer and I have never written a letter to John telling him about any law He don't know what is going on. I never gave the lawyer John's address in Chicago.

In the fall of 1928, my son John got a job with the Western Electric C in Jersey and after working there about a month or so, he took sick and he taken to the Bayonne hospital and he remained in the hospital at Bayonne, J Jersey for six weeks. After my son John left the Bayonne hospital, he went to Chicago, Illinois and I received letters from him that he is being treat in St. Luke's hospital, Chicago, Illinois. My boy left Manville right afte Easter, 1929 and he wasn't home since.

I want this strictly understood that I do not want to sue the Johns-Man Company for my daughter Helen or for my son John, and I want to sign papers soon as possible to discontinue both cases which, as I understand, are pend in the Court against the Johns-ManvilleCo. This statement was read to me the Polish language by my daughter Helen and E. Ramer and the same is true a correct. I was not promised any money or any job by Mr. hughes or anybody from the Johns-Manville Co. for making and signing this statement.

Mary Zackwiejа Helen Zackwiejа
November 21, 1929 Manville N.J.

CRMC-Motley1000-Subj-003343

I have read this statement to Mary Zachwieja in the Polish language and she told me the same was true and correct.

E. Ramer

.....

I have read this statement to my mother, Mary Zachwieja, in Polish language and my mother told me the same is true and correct.

Helen Zackwieja

November 21, 1929

CRMC-Motley1000-Subj-003344

FILED
MAR 11 1930
GEORGE I. CRANE

CRMC-Motley1000-Subj-003345

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/33

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE

NAME: Anthony J Fantozzi | DATE: 11/3/80

TITLE: Archivist, Archives Branch

NAME AND ADDRESS OF DEPOSITORY

Federal Archives and Records Center
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002

2NCN

GSA FORM APR 66 6791

CRMC-Motley1000-Subj-003346

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/34

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ

Plaintiff,

-vs-

JOHNS-MANVILLE, CORPORATION, a Corporation of the State of New York,

Defendant.

Action at Law

A N S W E R

Hobart & Minard, Attys. for Defts.
24 Branford Pl.,
Newark, N.J.

FILED

SEP 13 1929

AT 9 O'CLOCK A. M.

GEORGE T. CRANMER, Clerk.

CRMC-Motley1000-Subj-003347

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/35

were due to one of the risks of his employment assumed by the plaintiff as part of the terms of his contract of employment in that the plaintiff knew, or by the exercise of reasonable care on his part should have known, the alleged dangers of his employment.

FOURTH DEFENSE

The injury and the disease alleged in the complaint were caused by contributory negligence on the part of the plaintiff.

FIFTH DEFENSE

The injury and the disease alleged in the complaint were caused by contributory negligence on the part of the plaintiff in that the plaintiff failed to exercise reasonable care to protect himself against the alleged dangers of his employment by using the mask and other appliances provided by the defendant for that purpose.

SIXTH DEFENSE

The injury and the disease alleged in the complaint were due to negligence on the part of a fellow-servant of the plaintiff, in failing to warn and instruct the plaintiff to use the mask and other appliances provided by the defendant for the purpose of protecting the plaintiff against the alleged dangers of his employment.

SEVENTH DEFENSE

Plaintiff's action is barred because it was not commenced and instituted within two years next after the alleged cause of action accrued.

EIGHTH DEFENSE

Plaintiff's action is barred because it was not commenced and instituted within two years after the plaintiff's coming to or being of full age.

Attorneys for Defendant.

CRMC-Motley1000-Subj-003348

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

-vs-

JOHNS-MANVILLE CORPORATION, a Corporation of the State of New York,

Defendant.

Action at Law

A N S W E R

The defendant, JOHNS-MANVILLE CORPORATION, a corporation of the State of New York, having its principal office in New Jersey, at Manville, Somerset County, says that:

FIRST DEFENSE

1. It denies paragraph 1, except that it says that the plaintiff was in its employ at its plant in Manville, N. J., from December 28, 1926, to the year 1928.

2. It denies paragraph 2, except that it says that it was and has been engaged in the manufacture of asbestos products for commercial purposes from December 28,1926, to the present time.

3. It denies paragraph 3, except that it says that it employed the plaintiff from December 28, 1926, to the year 1928.

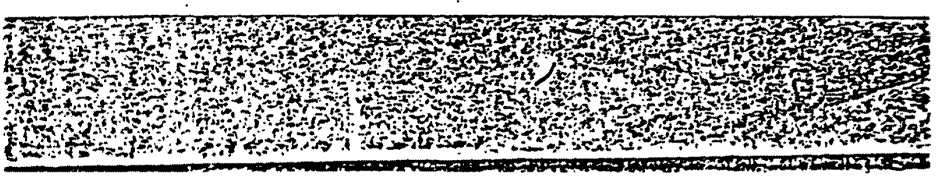
4. It denies paragraphs 4, 5, 6, and 7.

SECOND DEFENSE

The injury and the disease alleged in the complaint were due to one of the risks of his employment assumed by the plaintiff as part of the terms of his contract of employment.

THIRD DEFENSE

The injury and the disease alleged in the complaint



CRMC-Motley1000-Subj-003349

New Jersey Supreme Court
SOMERSET COUNTY.

John Zackwiejz, by his next friend, his mother, Mary Zackwiejz,

Plaintiff,

vs.

Johns-Manville Corp., a Corporation of the State of New York,

Defendant.

COPY OF PROCEEDINGS

Samuel Greenstone,
Attorney for Plaintiff.

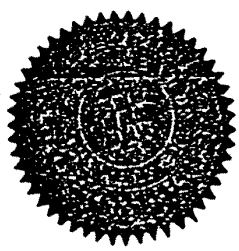
FILED
AUG 1 1929
GEORGE T. CRANMER, Clerk,

CLERK'S OFFICE, TRENTON

CRMC-Motley1000-Subj-003350

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/38

Fred L. Bloodgood,
I, ~~Edward xx Bloodgood~~, Clerk of the Supreme Court of the State of New Jersey, do certify that the foregoing is a true copy of the entire proceedings in the above stated cause as the same remain on file and of record in my office.



In testimony whereof I have set my hand and the seal of said Court at Trenton, this Thirtieth, day of July, A. D. nineteen hundred and Twenty-nine.

Fred L. Bloodgood
Clerk.

CRMC-Motley1000-Subj-003351

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

(seal)

SIGNATURE: Anthony J Fantozzi

NAME: Anthony J Fantozzi | DATE: 11/3/80

TITLE: Archivist, Archives Branch

NAME AND ADDRESS OF DEPOSITORY:
Federal Archives and Records Center
Building 22 - MOT - Bayonne
Bayonne, N.J. 07002
2NCN

GSA FORM 6791 (ARR 68)

CRMC-Motley1000-Subj-003352

THE STATE OF NEW JERSEY: TO JOHNS-MANVILLE CORPORATION, a corporation of the State of New York:

(L.S.)

YOU are summoned to answer the annexed complaint of John Zackwieja, by his next friend, his mother, Mary Zackwieja, in an Action-at-Law in the New Jersey Supreme Court. And take notice that unless you file your answer to said complaint with the Clerk of the New Jersey Supreme Court, at Trenton, New Jersey, within twenty days after the service upon you of this writ and the annexed complaint, the plaintiff may proceed in the suit and judgment may be entered against you.

WITNESS, HONORABLE WILLIAM S. GUMMERE, Chief Justice of the Supreme Court, at Trenton, New Jersey, this 18th day of July, 1929.

Samuel Greenstone
Attorney

Fred L. Bloodgood
Clerk

CRMC-Motley1000-Subj-003353

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/41

NEW JERSEY SUPREME COURT
SOMERSET COUNTY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ	:	
	:	
Plaintiff,	:	ACTION AT LAW
-vs-	:	COMPLAINT
JOHNS-MANVILLE CORP., a Corporation of the State of New York	:	
Defendant.	:	

- -X

The plaintiff, residing at Manville, New Jer complains of the above named defendant, a foreign corpor as follows:

1. The plaintiff was in the employ of the defendant corporation, at its plant, in Manville, New Jersey, in the year, 1928, and for several years prior t

2. The defendant corporation at the time h set forth was engaged in the manufacture of asbestos pı ucts for commercial purposes.

3. The said defendant employed the plaint at the time and place above set forth in its manufactu said asbestos products, and the said defendant not onl knew, but should have known, that the said asbestos prc contained certain dangerous, insidious and harmful ag composed of asbestos fibers and other particles that destructive to life and health in the human body when brought into close contact with the same.

4. The defendant not only knew, but shou known, the dangerous nature of said asbestos fibers an particles and failed to keep the same in control, but negligent in allowing the said dangerous fibers and p

CRMC-Motley1000-Subj-003354

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/42

NEW JERSEY SUPREME COURT
SOMERSET COUNTY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ :

Plaintiff, :

-vs- : ACTION AT LAW

JOHNS-MANVILLE CORP., a Corporation of the State of New York : COMPLAINT

Defendant. :

---X

The plaintiff, residing at Manville, New Jersey complains of the above named defendant, a foreign corporat as follows:

1. The plaintiff was in the employ of the defendant corporation, at its plant, in Manville, New Jersey, in the year, 1928, and for several years prior ther

2. The defendant corporation at the time here set forth was engaged in the manufacture of asbestos products for commercial purposes.

3. The said defendant employed the plaintiff at the time and place above set forth in its manufacture said asbestos products, and the said defendant not only knew, but should have known, that the said asbestos produ contained certain dangerous, insidious and harmful agenc composed of asbestos fibers and other particles that wer destructive to life and health in the human body when brought into close contact with the same.

4. The defendant not only knew, but should known, the dangerous nature of said asbestos fibers and particles and failed to keep the same in control, but w negligent in allowing the said dangerous fibers and par

James E. Monack

CRMC-Motley1000-Subj-003355

to escape and to come into close proximity of the plaintiff's person and exposed the plaintiff so that he came into contact with, and inhaled, the said dangerous fibers and particles to the extent that his bronchial tubes, lungs and body became infected with the same.

5. Plaintiff was not informed or warned by the defendant, and had no knowledge of the nature of the said dangerous asbestos fibers and particles with which he was brought into close proximity by the defendant's negligence.

6. The negligence of the defendant complained of is as follows:

(a) In failing to use reasonable care to provide the plaintiff with a reasonably safe place of work.

(b) In failing to use reasonable care to provide the plaintiff with proper masks or other appliances or safe guards in said work.

(c) In failing to use reasonable care to provide a proper ventilating system at its plant.

(d) In failing to use reasonable care to give proper warning, information and knowledge about the dangerous character of its work with the said asbestos fibers and particles to the said plaintiff at the time and place above mentioned.

7. The said asbestos fibers and particles were introduced into the plaintiff's body at the time and place aforesaid, so that the plaintiff was permanently injured externally and internally in and about his head, body and limbs causing the plaintiff great pain and suffering, both mental and physical, greatly lowered his resistance to disease, and he became a victim of tuberculosis and so seriously cut off the span and duration of life of this youthful plaintiff, and that by reason of the loss of the

James E. Nowacki

major part of his lifetime, of his physical and mental well being, of his wage earnings and also the considerable amount of mediaal expense involved in his effort to retard the suffering from the disease and mend the wrecking of his body, he will be caused to suffer losses, expenses and damages to the extent of $100,000.00.

The plaintiff demands the sum of $100,000.00 as damages from the defendant.

Samuel Greenstone
Attorney for Plaintiff

CRMC-Motley1000-Subj-003357

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/45

July 20, 1929. I served the within summons and complaint upon Johns-Manville Corp., a corporation of the State of New York. by serving Archibald Hughes its Superintendant, personally, at Manville, N. J.

Fees: $3.78

Ira E. Brokow Sheriff

Marvin Sheets, Under Sheriff.

NEW JERSEY SUPREME COURT
SOMERSET COUNTY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff

-vs-

Johns-Manville Corp., a Corporation of the State of New York,

Defendant.

SUMMONS AND COMPLAINT

Samuel Greenstone
Attorney for Plaintiff
972 Broad Street,
Newark, N.J.

Filed July 23, 1929,
Fred L. Hoodgood, Clerk.

CRMC-Motley1000-Subj-003358

NE JERSEY SUPREME COURT.
SOMERSET COUNTY.

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York,

Defendant,

Action at law.

NOTICE OF REMOVAL

TO - SAMUEL R. GRUBER, ESQ.
Attorney for Plaintiff.

TAKE NOTICE that on Saturday, July 27th, 1929, at 10:00 o'clock in the forenoon (Daylight Savings Time) at the Court House in Somerville, New Jersey, we shall present to his Hon., William S. Gummere, Chief Justice of the Supreme Court, a petition of JOHNS-MANVILLE CORPORATION, the defendant named in the above suit, for the removal of said suit to the District Court of the United States, for the District of New Jersey; and shall also then and there present the bond mentioned in the said petition and shall apply for the removal of the said suit to the District Court of the United States, for the District of New Jersey; and immediately thereafter we shall file said petition and bond; all according to the Act of Congress in such case made and provided.

Dated: July 25th, 1929.

Respectfully,

HOWARD & HOWARD,

Attorneys for Defendant, appearing specially.

James E. Howard,

CRMC-Motley1000-Subj-003359

IN THE ESSEX COUNTY
SUPERIOR COURT
ESSEX COUNTY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York.

Defendant.

ACTION AT LAW

NOTICE OF TRIAL.

Hobart & Minard,
Attys. of Defendant,
appearing specially,
24 Branford Pl.,
Newark, N.J.
Filed July 29, 1929
Fred L. Bloodgood, Clerk.

July 25- 1929

Samuel Gruentzer
Atty for Plaintiff

CRMC-Motley1000-Subj-003360

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/48

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

-vs-

JOHNS-MANVILLE CORPORATION, a Corporation of the State of New York,

Defendant.

ACTION AT LAW

PETITION FOR REMOVAL.

TO THE HONORABLE, SUPREME COURT OF THE STATE OF NEW JERSEY:

The petition of JOHNS-MANVILLE CORPORATION, a corporation of the State of New York, the above named defendant, appearing herein specially and for the sole purpose of presenting its petition to this Honorable Court for the removal of this suit to the District Court of the United States, for the District of New Jersey, respectfully shows that:

1. The plaintiff is the only plaintiff in the above suit and at the time of the commencement thereof was and still is a resident and citizen of the State of New Jersey.

2. Your petitioner is the defendant in said suit and was at the time of the commencement thereof and still is a corporation existing under and by virtue of the laws of the State of New York, and the controversy in said suit is wholly between citizens of different states.

3. Said suit is of a civil nature, at law, and the matter in controversy in said suit exceeds, exclusive of interest and costs, the sum or value of $3,000., to wit, the sum or value of $100,000.00, the amount demanded by the plaintiff in said suit as damages from your petitioner, the defendant therein.

4. No special bail was originally or is requisite in said suit.

James E. Nowack

5. Said suit was commenced by service of summons and complaint upon your petitioner on July 20th, 1929, by leaving a copy thereof with the Registered Agent of the petitioner in the State of New Jersey at Manville, N.J.; the time within which the petitioner is required to answer said complaint has not expired but will expire on August 9, 1929, unless further time to answer is allowed. The petitioner has not filed its answer to said complaint or in any way appeared in said action.

6. Your petitioner has made and files herewith a bond with good and sufficient surety for its entering in the District Court of the United States, for the District of New Jersey, within thirty days from the filing of this petition, a certified copy of the record in said suit, and for paying all costs that may be awarded by said District Court, if said District Court shall hold that said suit was wrongfully or improperly removed thereto, said bond being in the penal sum of $500., conditioned as required by the Act of Congress in such case made and provided.

Your petitioner prays t is Honorable Court to proceed no further in said suit except to accept this petition and bond, make the order of removal required by law and cause the record in said suit to be removed into

CRMC-Motley1000-Subj-003362

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/50

said District Court of the United States, for the District of New Jersey, pursuant to the Act of Congress in such case made and provided.

And your petitioner will ever pray, etc.

JOHNS-MANVILLE CORPORATION
By

E. M. Voorhees
Treasurer

Holland & Minard
Attorneys of Petitioner,
appearing specially, etc.

(LS)

Attest:

Clarence L. Boger
Assistant Secretary

CRMC-Motley1000-Subj-003363

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/51

STATE OF NEW YORK :
: ss.
COUNTY OF N. Y. :

E. M. Voorhees of full age,

being duly sworn, according to law, on his oath, says that he is Treasurer of Johns-Manville Corporation, a corporation of the State of New York, the defendant in within mentioned suit and the petitioner named in the foregoing petition; that he has read said petition and knows the contents thereof and that the matters stated therein are true; that the matter in controversy in said suit exceeds, exclusive of interest and costs, the sum or value of $3,000; said suit is of a civil nature, at law, and is between citizens of different states, as appears from the complaint of the plaintiff therein, and he is informed and believes that the District Court of the United States has original jurisdiction thereof; and that the controversy in said suit can be fully determined as between the plaintiff and the defendant.

E. M. Voorhees

Subscribed and sworn to at New York, N.Y. this 1[illegible] day of July, 1929, before me John F. Maher duly commissioned and sworn, as witness my hand and official seal.

John F. Maher
Notary Public
Queens County Clk's No. 2995
Queens County Register's No. 9193
New York County Clk's No. 979
New York County Register's No. 1M 661
Commission Expires March 30, 1931

(5)

James E. Howard

CRMC-Motley1000-Subj-003364

NEW JERSEY SUPREME COURT
SOMERSET COUNTY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a Corporation of the State of New York,

Defendant.

Action at Law

BOND ON REMOVAL.

KNOW ALL MEN BY THESE PRESENTS: That we, JOHNS-MANVILLE CORPORATION, a corporation of the State of New York, as principal, and NEW YORK INDEMNITY COMPANY, a corporation of the State of New York, as surety, are held and firmly bound unto JOHN ZACKWIEJZ, (issuing by his next friend, his mother, MARY ZACKWIEJZ) of Manville, Somerset County, State of New Jersey, in the penal sum of Five Hundred Dollars, lawful money of the United States, to be paid to the said JOHN ZACKWIEJZ, his heirs, executors, administrators and assigns, to which payment well and truly to be made, we bind ourselves, our successors and assign, jointly and severally, firmly by these presents.

Sealed with our seals and dated the twenty-third day of July 1929.

WHEREAS, the above name JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ, has heretofore brought a suit of a civil nature, at law, in the New Jersey Supreme Court, against said JOHNS-MANVILLE CORPORATION, a corporation of the State of New York; and

WHEREAS, said JOHNS-MANVILLE CORPORATION, simultaneously with the filing of this bond, intends to file its

James E. Nowack,

CRMC-Motley1000-Subj-003365

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/53

petition in said suit in said New Jersey Supreme Court, to remove said suit into the District Court of the United States, in the District where said suit is pending, to wit, the District Court of the United States in and for the District of New Jersey, according to the provisions of the Act of Congress in such case made and provided, now, therefore,

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the petitioner, JOHNS-MANVILLE CORPORATION, shall enter in the District Court of the United States, for the District of New Jersey, within thirty days from the date of filing said petition in said New Jersey Supreme Court, a certified copy of the record in said suit, and shall well and truly pay all costs that may be awarded by the said District Court, if said District Court shall hold that said suit was wrongfully or improperly removed thereto, and shall also appear and enter special bail in said suit, if special bail was originally requisite therein, then this obligation shall be void; otherwise to remain in full force and effect.

JOHNS-MANVILLE CORPORATION
by C. M. Woodruff (L.S.)
Treasurer

Attest:
Clarence L. Degler
Assistant Secretary

NEW YORK INDEMNITY COMPANY
by John C. Gallagher (L.S.)
Attorney-in-Fact

Attest:
Witness
Willard A. Brooks
As to surety

(L.S.)

James E. Nowack,

CRMC-Motley1000-Subj-003366

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/54

KNOW ALL MEN BY THESE PRESENTS, that the NEW YORK INDEMNITY COMPANY, a corporation duly organized and existing under the laws of the State of New York, and having its principal offices in the City of New York, hath made, constituted and appointed, and does by these presents make, constitute and appoint John C. Gallagher individually of Newark and State of New Jersey its true and lawful Attorney, with full power and authority hereby conferred in its name, place and stead, to sign, execute and acknowledge with the exception of Bail bonds any and all bonds and/or undertakings in any amount not exceeding One Hundred Thousand Dollars ($100,000). and to bind the NEW YORK INDEMNITY COMPANY thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the common seal of the Company, and duly attested by its Secretary, hereby ratifying and confirming all the acts of said Attorney pursuant to the power herein given. This Power of Attorney is made and executed pursuant to and by authority of the following By-Law adopted by the Board of Directors of the NEW YORK INDEMNITY COMPANY at a meeting duly called and held on the twenty-fifth day of July, 1923:

"ARTICLE XII. Resident Officers and Attorneys-in-Facts

"Section 1. The Chairman, Vice-Chairman, President "First Vice-President, or any other Vice-President "may from time to time appoint Resident Vice-"Presidents, Resident Assistant Secretaries and "Attorneys-in-Fact to represent and act for, and "on behalf of the Company, and either the Chairman, "Vice-Chairman, President, First Vice-President, or "any other Vice-President, the Board of Directors, "or the Executive Committee, may at any time re-"move any such Resident Vice-President, Resident "Assistant Secretary or Attorney-in-Fact, and re-"voke the power and authority given him.

"Section 4. Attorneys-in-Fact.-- Attorneys-in-"Fact may be given full power and authority to "execute for and in the name of and on behalf of, "the Company, and any and all bonds, recognizances, "contracts of indemnity and other writings "obligatory in the nature of a bond, recognizance, "or conditional undertaking, and any such in-"strument executed by any such Attorney-in-Fact "shall be as binding upon the Company as if signed "by the President and sealed and attested by the "Secretary.

"Section 6. Attorneys-in-Fact.-- Attorneys-in-"Fact are hereby authorized to verify any affidavit "required to be attached to bonds, recognizances, "or contracts of indemnity, policies of insurance, "and all other writings obligatory in the nature "thereof, and also authorized and empowered to "certify to a copy of any By-Laws contained in "Articles VI, XII and XIII of the By-Laws of the "Company."

IN WITNESS WHEREOF, the NEW YORK INDEMNITY COMPANY has caused these presents to be signed by its Vice-President and its corporate seal to be hereto affixed, duly attested by its Assistant Secretary, this 12th day of July A.D.1929.

NEW YORK INDEMNITY COMPANY

(Seal)

Attest: T.J.Flynn, Assistant Secretary.

By. W.C.Billings, Vice-President.

James E. Howard

CRMC-Motley1000-Subj-003367

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/55

STATE OF NEW YORK,)
COUNTY OF NEW YORK,) ss.:
)

On this 12th day of July A.D. 1929, before me personally came W. C. Billings to me known, who, being by me duly sworn, did depose and say, that he resides in the City of New York; that he is the Vice-President of th NEW YORK INDEMNITY COMPANY, the corporation described in and which executed the above instrument; that he knows th seal of said corporation; that the seal affixed to the sa instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, a that he signed his name thereto by like order.

(Seal)

William Dunn
Notary Public

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:
)

I. T. J. Flynn Assistant Secretary of the NEW YORK INDEMNITY COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a power of attorney, executed by said NEW YORK INDEMNITY COMPANY, whi is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company, at the City of New York, this 12th day of July A. D. 1929.

T. J. Flynn
Assistant Secretary.

(Seal)

CRMC-Motley1000-Subj-003368

State of New Jersey,
County of ESSEX } ss.:
City of NEWARK

On this Twenty-third day of July, 1929, before me, the subscriber, a NOTARY PUBLIC duly commissioned and sworn, personally came JOHN C. GALLAGHER who, being by me duly sworn, on his oath, saith: That he is the ATTORNEY-IN-FACT of the NEW YORK INDEMNITY COMPANY of the State of New York, and that he resides in the City of NEWARK; that he knows the corporate seal of the said Company; that the seal affixed to the foregoing instrument is such corporate seal; and it was affixed by the said JOHN C. GALLAGHER and the said Instrument signed by the said JOHN C. GALLAGHER as ATTORNEY-IN-FACT of said Company, by order of the Board of Directors of said Company in deponent's presence as the voluntary act and deed of said Company; that said Company has duly complied with all the requirements of Chapter 134 of the Laws of the State of New Jersey of the year 1902; that the good available assets of the Company exceed its liabilities, as such liabilities are ascertained in the manner provided in said Chapter; that the NEW YORK INDEMNITY COMPANY is duly incorporated under the laws of the State of New York, and is authorized by the laws of that State and under its charter to become surety on bonds and obligations such as are mentioned in said Chapter; and has on deposit with the Superintendent of Insurance of the State of New York, good securities worth at par and at market value at least Two Hundred Thousand Dollars ($200,000) held for the security of its obligations and has a fully paid up, safely invested, and unimpaired capital of One Million Dollars, and said Company has appointed the Commissioner of Banking and Insurance of New Jersey and his successor in office as its true and lawful Attorney in the State of New Jersey, upon whom process of law can be served, and has filed in the office of the Commissioner of Banking and Insurance, a written instrument duly signed and sealed, certifying such appointment, together with the residence and office of such Attorney, within the State of New Jersey; and that the following is a true copy of a By-Law duly adopted by the Board of Directors of the said NEW YORK INDEMNITY COMPANY on the 25th day of July, 1923, at a regular meeting, to wit:

ARTICLE XIII.

SECTION 1. *Signatures required.*—All bonds, recognizances, or contracts of indemnity, policies of insurance, and all other writings obligatory in the nature thereof, shall be signed by the President, a Vice-President, a Resident Vice-President, or Attorney-in-Fact, and shall have the seal of the Company affixed thereto duly attested by the Secretary, an Assistant Secretary, or Resident Assistant Secretary. All Vice-Presidents and Resident Vice-Presidents shall each have authority to sign such instruments, whether the President be absent or incapacitated, or not, and the Assistant Secretaries and Resident Assistant Secretaries shall each have authority to seal and attest such instruments, whether the Secretary be absent or incapacitated, or not; and the Attorney-in-Fact shall each have authority, in the discretion of such Attorneys-in-Fact, to affix to such instruments an impression of the Company's seal, whether the Secretary be absent or incapacitated, or not, or to attach the individual seal of the Attorneys-in-Fact thereto, or to use the scroll of the Attorneys-in-Fact, or a wafer, wax, or other similar adhesive substance affixed thereto, or a seal of paper or other similar substance affixed thereto by mucilage, or other adhesive substance, or use the word "SEAL" or the letters "L. S." opposite the signature of such Attorneys-in-Fact, as the case may be.

Sworn and subscribed in the City of Newark *in the County of* Essex *and State of* New Jersey *this* 23rd *day of* July *A. D.* 1929 *before me, a* NOTARY PUBLIC *duly commissioned and sworn.*

James E. Nowack

John C. Gallagher

CRMC-Motley1000-Subj-003369

New York Indemnity Company

New York

FINANCIAL STATEMENT, DECEMBER 31st, 1928

SPENCER, WELTON, President. HUBERT J. H[illegible] Secretary

ASSETS

Stocks and Bonds at Market	[illegible]
Collateral Loans	[illegible]
Cash	[illegible]
Unpaid Premiums (Less than 90 Days old)	1,505,145.19
Accounts Receivable and Accrued Interest	440,368.91
Total	$8,567,665.65

LIABILITIES

Reserve for Unearned Premiums	$3,045,888.28
Reserve for Contingent Claims Less Reinsurance	3,141,888.49
Reserve for Taxes and Commissions	459,174.43
Accounts Payable	240,995.36
Reinsurance in Companies Not Entered in New York	65,732.96
Capital	1,000,000.00
Surplus	614,066.21
Total	$8,567,665.65

STATE OF NEW YORK, }
COUNTY OF NEW YORK, } ss.

I, T. J. Flynn, Assistant Secretary of the New York Indemnity Company, do hereby certify that the above is a true statement of the assets and liabilities of said Company as of December 31st, 1928, to the best of my knowledge and belief.

Company's Seal

Thomas J. Flynn

STATE OF NEW YORK, }
COUNTY OF NEW YORK } ss.

Subscribed and sworn to before me, a Notary Public of the State of New York, in the City of New York, this 4th day of February A. D. 1929.

Notary's Seal

George Kaiser

NOTARY PUBLIC
Bronx Co. No. 9, Register's No. 3004-A
Certificate filed in New York Co. No. [illegible]
Register's No. [illegible]
Commission Expires March 30, 1930

CRMC-Motley1000-Subj-003370

STATE OF NEW YORK :
COUNTY OF NEW YORK :

BE IT REMEMBERED, That on this twenty-third day of July , in the year of our Lord, One thousand nine hundred and twenty-nine, before me, the subscriber, John J. Mahey personally appeared, Clarence C. Nagler who being by me duly sworn, doth depose and make proof to my satisfaction that he is Assistant Secretary and that he well knows the common seal of JOHNS-MANVILLE CORPORATION, the obligor named in the fore going bond, that the seal thereto affixed is the proper common seal of the said corporation, and that the same was so affixed thereto, and the said bond signed and delivered by E. M. Voorhees who was at the date and execution thereof Treasurer of said corporation, as the voluntary act and deed of the said corporation, in the presence of said deponent, and that the said deponent subscribed the name as witness to the execution thereof.

Clarence C. Nagler

Subscribed and sworn to at New York, N.Y. this 23rd day of July 1929, before me John J. Mahey duly commissioned and sworn as witness my hand and official seal.

John J. Mahey
Notary Public
Queen's County Clerk's No. 2915
Queen's County Register's No. 8193
New York County Clerk's No. 979
New York County Register's No. 1811661
Commission Expires March 30, 1931

(L.S.)

CRMC-Motley1000-Subj-003371

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/59

NEW JERSEY SUPREME COURT
SOMERSET COUNTY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a Corporation of the State of New York,

Defendant.

Action at Law
BOND OF REMOVAL.

Hobart & Minard,
Attys. of Defendant,
appearing specially,
24 Branford Pl.,
Newark, N.J.

Filed July 29, 1929.
Fred L. Bloomgood, Clerk.

CRMC-Motley1000-Subj-003372

John Zackwiejz v. Johns-Manville, Pleadings and Motion to Quash (1929)
ACL Doc 23905 · Page 60 of 62
Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/60

NEW JERSEY SUPREME COURT
SOMERSET COUNTY.

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a Corporation of the State of New York,

Defendant.

Action at Law.

ORDER FOR REMOVAL.

On due notice to the attorney for plaintiff in the above entitled cause, it is on this 27th day of July 1929, on motion of Hobart & Minard, attorneys for the defendant therein;

O R D E R E D that the petition of said defendant for the removal of said cause to the District Court of the United States, for the District of New Jersey, be and the same is hereby accepted and that the bond presented with said petition be and it hereby is accepted and approved and that said petition and bond be filed.

Let the foregoing order be entered.

Wm. I. Gummere
C. J. S. C.

Entered July 29,1929,
on Motion of
Hobart & Minard
Attorneys of defendant,
appearing specially.

CRMC-Motley1000-Subj-003373

Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/61

SOMERSET COUNTY

JOHN ZACKWIEJZ, by his next friend, his mother, MARY ZACKWIEJZ,

Plaintiff,

vs.

JOHNS-MANVILLE CORPORATION, a corporation of the State of New York

Defendant.

Action at Law

ORDER FOR JURY L.

Hobart & Minard,
Attorneys for Defendant,
appearing specially,
Ed Lentz Office Place,
Newark, N.J.

CRMC-Motley1000-Subj-003374

John Zackwiejz v. Johns-Manville, Pleadings and Motion to Quash (1929)
ACL Doc 23905 · Page 62 of 62
Published by AsbestosClaims.Law
asbestosclaims.law/library/23905/62